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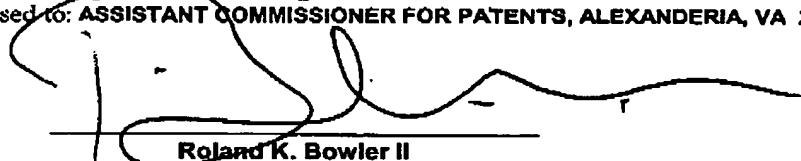
PATENT

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE****NOTICE OF CONFIDENTIALITY**

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**Certificate of Facsimile Under 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted via facsimile to 571-273-8300 on 1 SEPTEMBER 2005 addressed to: ASSISTANT COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313.

  
Roland K. Bowler II

Applicant:	FAHEY ET AL.	)	
		)	
		)	Examiner A. Flanders
Appl. No.	09/972,381	)	
		)	
		)	Art Unit 2644
Confirm. No.	5141	)	
		)	
		)	Atty. Docket No. CS90041
Filed:	5 October 2001	)	
		)	
Title:	"Mobile Wireless Communication Handset with Sound Mixer And Methods Therefor"		

**TRANSMITTAL UNDER 37 CFR 1.111**

Assistant Commissioner for Patents  
Alexandria, Virginia 22313

Sir:

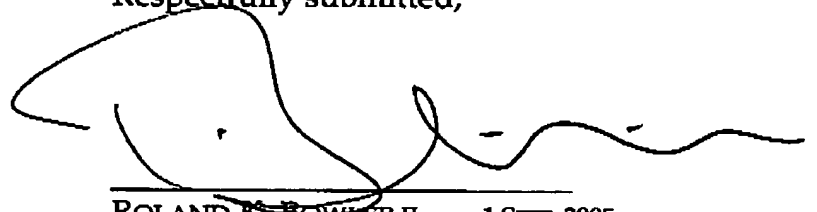
MUELLER  
"Communications Devices With Receiver  
Earpieces And Methods Therefor"  
Atty. Docket No. CM02020K

Appl. No. 10/184,278  
Confirm. No. 3065  
Examiner J. Chiang  
Art Unit 2642

The following is enclosed in response to the non-final Office  
Action of 10 June 2005:

- 30 RKB.
- ☒ [X] Response under 37 CFR 1.111 (29 pages);
  - ☒ [X] Substitute Specification (14 pages);
  - ☒ [X] Marked-up Specification (14 pages);
  - ☒ [X] Fee Calculation Sheet (NO FEE DUE).

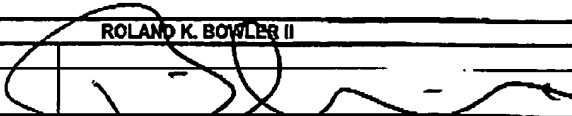
Respectfully submitted,



ROLAND K. BOWLER II 1 SEPT. 2005  
REG. NO. 33,477

MOTOROLA, INC.  
INTELLECTUAL PROPERTY DEPT. (RKB)  
600 NORTH U.S. HIGHWAY 45, AN475  
LIBERTYVILLE, ILLINOIS 60048

TELEPHONE NO. (847) 523-3978  
FACSIMILE NO. (847) 523-2350

<b>FEE TRANSMITTAL</b>				<b>Complete if Known</b>																																																																																																																																																	
Patent fees are subject to annual revision				Application Number	09/972,381																																																																																																																																																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				Filing Date	5 October 2001																																																																																																																																																
				First Named Inventor	FAHEY ET AL.																																																																																																																																																
				Examiner Name	A. Flanders																																																																																																																																																
				Group Art Unit	2644																																																																																																																																																
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METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																	
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<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>502117</b> Deposit Account Name <b>MOTOROLA INC.</b> The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.18 and 1.17 <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				<b>4. ADDITIONAL FEES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1061</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1062</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>1020</td><td>2253</td><td>510</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1590</td><td>2254</td><td>795</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2160</td><td>2255</td><td>1080</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>1000</td><td>2403</td><td>500</td><td>Request for oral hearing</td></tr> <tr><td>1431</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1500</td><td>2453</td><td>750</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1400</td><td>2501</td><td>700</td><td>Utility issue fee (or release)</td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>1100</td><td>2503</td><td>550</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(c)</td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of IDS</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR § 1.129(d))</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> </tbody> </table>		Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	1061	130	2051	65	Surcharge - late filing fee or oath	1062	50	2052	25	Surcharge - late Provisional filing	1053	130	1053	130	Non-English specification	1812	2520	1812	2520	For filing a request for ex parte Reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	1251	120	2251	60	Extension for reply within first month	1252	450	2252	225	Extension for reply within second month	1253	1020	2253	510	Extension for reply within third month	1254	1590	2254	795	Extension for reply within fourth month	1255	2160	2255	1080	Extension for reply within fifth month	1401	500	2401	250	Notice of Appeal	1402	500	2402	250	Filing a brief in support of an appeal	1403	1000	2403	500	Request for oral hearing	1431	1510	1451	1510	Petition to institute a public use proceeding	1452	500	2452	250	Petition to revive - unavoidable	1453	1500	2453	750	Petition to revive - unintentional	1501	1400	2501	700	Utility issue fee (or release)	1502	800	2502	400	Design issue fee	1503	1100	2503	550	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(c)	1808	180	1808	180	Submission of IDS	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(d))	1801	790	2801	395	Request for Continued Examination	1802	900	1802	900	Request for expedited examination of a design application
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<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Application Type</th> <th colspan="2">FILING FEES</th> <th colspan="2">SEARCH FEES</th> <th colspan="2">EXAMINATION FEES</th> <th rowspan="2">Fee Paid (\$)</th> </tr> <tr> <th>Large Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Large Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Large Fee (\$)</th> <th>Small Entity Fee (\$)</th> </tr> </thead> <tbody> <tr><td>Utility</td><td>300</td><td>150</td><td>500</td><td>250</td><td>200</td><td>100</td><td></td></tr> <tr><td>Design</td><td>200</td><td>100</td><td>100</td><td>50</td><td>130</td><td>65</td><td></td></tr> <tr><td>Plant</td><td>200</td><td>100</td><td>300</td><td>150</td><td>180</td><td>80</td><td></td></tr> <tr><td>Reissue</td><td>300</td><td>150</td><td>500</td><td>250</td><td>800</td><td>300</td><td></td></tr> <tr><td>Provisional</td><td>200</td><td>100</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> </tbody> </table>				Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	Utility	300	150	500	250	200	100		Design	200	100	100	50	130	65		Plant	200	100	300	150	180	80		Reissue	300	150	500	250	800	300		Provisional	200	100	0	0	0	0																																																																																													
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<b>2. EXTRA CLAIM FEES</b> Each claim over 20 or, for Reissues, each claim over 28 and more than in the original patent: 50 (Large) / 25 (Small Entity) Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent: 200 (Large) / 100 (Small Entity) Multiple Dependent Claims: 350 (Large) / 180 (Small Entity)																																																																																																																																																					
Total Claims: <input type="text"/> Extra Claims: <input type="text"/> Fee (\$): <input type="text"/> Fee Paid (\$): <input type="text"/> KP = highest number of total claims paid for, if greater than 3: <input type="text"/> Fee (\$): <input type="text"/> Fee Paid (\$): <input type="text"/> Indep. Claims: <input type="text"/> Extra Claims: <input type="text"/> Fee (\$): <input type="text"/> Fee Paid (\$): <input type="text"/> - 3 or KP = <input type="text"/> x <input type="text"/> = <input type="text"/>																																																																																																																																																					
<b>3. APPLICATION SIZE FEE</b> If the specification and drawings exceed 100 sheets of paper, the application size fee is \$250 (\$125 for small entity). For each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets: <input type="text"/> Extra Sheets: <input type="text"/> Number of each additional 50 or fraction thereof: <input type="text"/> Fee (\$): <input type="text"/> Fee Paid (\$): <input type="text"/> - 100 = <input type="text"/> / 50 = <input type="text"/> (rounding up to a whole number) x 250 = <input type="text"/>																																																																																																																																																					
<b>5. OTHER FEE(S) (specify)</b> Non-English Specification, \$130 fee (no small entity discount) Fee Paid (\$): <input type="text"/>																																																																																																																																																					
<b>SUBMITTED BY</b> <b>ROLAND K. BOWLER II</b> Name (Print/Type) Signature: 				Registration No.	33,477																																																																																																																																																
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**RESPONSE UNDER 37 C.F.R. § 1.111**

Assistant Commissioner for Patents  
Alexandria, Virginia 22313

Sir:

Kindly enter the following amendment prior to further examination of the referenced application.

In The Claims: